

1 City of Montgomery  
2 City Council Work Session Minutes  
3 May 19, 2021  
4

5 Present

6 Brian Riblet, City Manager  
7 Terry Donnellon, Law Director  
8 Tracy Henao, Asst. City Manager/Acting Comm. Dev. Dir.  
9 John Crowell, Police Chief  
10 Gary Heitkamp, Public Works Director  
11 Katie Smiddy, Finance Director  
12 Paul Wright, Fire Chief  
13 Matthew Vanderhorst, Community and Information Services Dir.  
14 Amy Frederick, Community and Engagement Coordinator  
15 Connie Gaylor, Clerk of Council  
16

City Council Members Present

Chris Dobrozsi, Mayor  
Craig Margolis, Vice Mayor  
Mike Cappel  
Ron Messer  
Lynda Roesch  
Ken Suer

City Council Members Absent

Lee Ann Bissmeyer

17 City Council convened its Work Session for May 19, 2021 at 6:54 p.m. in a hybrid meeting at City Hall and by  
18 telephone conference with Mayor Dobrozsi presiding. This remote access meeting was allowed by emergency  
19 legislation adopted by the Ohio General Assembly and approved by the Governor. The emergency legislation added  
20 language to RC Section 121.22 allowing public meetings by telephone conference during the current pandemic and  
21 declared State of Emergency. As required by the statute, notice of the telephonic meeting was publicized more than  
22 24 hours in advance to allow public access through the same conference call in service. The public was also given  
23 a backup number to call in the event there were technical difficulties. This Notice was posted on the City's website  
24 and a similar Notice was sent to The Cincinnati Enquirer.  
25

26 **ROLL CALL**

27  
28 Mayor Dobrozsi asked for a roll call.

30 The roll was called with all members except Mrs. Bissmeyer present. Mayor Dobrozsi explained that Mrs.  
31 Bissmeyer was attending the graduation of her son and asked for a motion to excuse her absence. Vice Mayor  
32 Margolis made a motion to excuse Mrs. Bissmeyer from the meeting. Mr. Cappel seconded. City Council  
33 unanimously agreed.  
34

35 **SPECIAL PRESENTATION**

36  
37 Amy Frederick was introduced as the new Community Engagement Coordinator by Matthew Vanderhorst the  
38 Community and Information Services Director.  
39

40 City Council welcomed Ms. Frederick to the Montgomery family.  
41

42 Eric Rademacher from the University of Cincinnati and Amy Paul from Management Partners were in attendance  
43 to present an overview of the recent completed resident survey as part of the upcoming strategic planning process.  
44

45 Mr. Rademacher stated that he has partnered with Management Partners to conduct the resident surveys since the  
46 first strategic plan was created in 2001. He stated that he has been honored to participate in the subsequent 5-year  
47 plans since that time.  
48

49 Mr. Rademacher explained that the household survey reached 4,301 city residents. He stated that the survey was  
50 conducted through mail invitations to submit responses via a website and also mail in responses. He explained that  
51 this was conducted from March 17 through May 6 and 993 residents responded. He stated that this equated to a 23%  
52 response rate which was the response rate in 2015 as well.

54 Mr. Rademacher explained the geographic sections of the City of Montgomery and how that was used to determine  
55 response rate and to interpret survey responses.  
56

57 Mr. Rademacher reviewed statistics related to the following survey topics:

- Satisfaction with the Quality of Life in Montgomery
- Importance of City Services (Fire and EMS, Trash Collection, Police Protection, Snow Removal, etc.)
- Satisfaction with City Services
- Knowledge about the Montgomery Quarter Project
- Type of Restaurant respondents would like to see in the Montgomery Quarter
- Perceived impact the Montgomery Quarter Project on shopping and dining
- Knowledge about the DORA (Designated Outside Refreshment Area)
- Perceived Impact of DORA
- Knowledge about the Montgomery Diversity and Inclusion Committee
- Importance of the Diversity and Inclusion Committee
- Usefulness of the monthly City of Montgomery Newsletter
- Usefulness of the Montgomery Website
- Perceptions of Post Covid-19 Life

Mr. Riblet extended his thanks to Mr. Rademacher and Ms. Paul for their time in meeting with staff to create the survey and for the cumulation of all the data for the presentation which will be vital in the creation of the new strategic planning process.

Mayor Dobrozi opened the floor to questions from City Council.

Vice Mayor Margolis asked Mr. Rademacher if there were services that we are not offering at this time that we should.

Mr. Rademacher explained that those services would be seen in the open-ended questions asked in the survey. He explained that he was working to categorize those and prepare a summary that would be shared with staff and City Council soon.

Mr. Suer stated that upon looking at some of the comments from the open-ended questions that he was picking up on threads and other comments that will provide ideas when developing the new plan. He stated that he found this very beneficial in the process.

Mr. Rademacher stated that the approach to interpreting the comments comes with how the responses are weighted. Whether there are 1 in 900 or 20 in 900, he warned about getting stuck on comments, so they do not cloud decision making.

Mr. Messer stated that regarding the 23% response rate, he wondered if we were actually touching base with the constituents. He asked about the roughly 75% that did not respond.

Mayor Dobrozi stated that he felt the ones who did respond were the ones who were engaged.

Mr. Rademacher explained that 23% is a high response rate in many surveys. He stated that while we have a good sense of the responses that were received, we cannot address the ones we did not. He stated that the questions could be asked if those who did not respond felt negatively about surveys, were disengaged, or felt that things were fine and did not take the time to respond.

Ms. Roesch stated that she felt we had a high response rate that has been consistent over the years. She stated that she felt that if people were unhappy, they would tell us, maybe not by a survey.

Mr. Cappel asked Mr. Rademacher regarding the Covid questions if the trend in responses was really an effect of Covid or if the responses were already part of a trend.



110 Mr. Rademacher replied that he felt online shopping for instance, was already a trend and not necessarily an effect  
111 of Covid. He stated that the results in dining was an effect of Covid but how much that trend decelerated post-Covid  
112 would be the real evidence.

113 Mayor Dobrozsi asked Mr. Rademacher when the survey was completed.  
114

115 Mr. Rademacher replied most were completed in April but there were some accepted in early May.  
116

117 Mayor Dobrozsi asked Mr. Rademacher if he had received the 2020 Census information yet. He stated that he seen  
118 that Montgomery had an 87.5% response rate and asked if there was anything high-level to take from that.  
119

120 Mr. Rademacher replied that there were, but he was reserving that information until after all information has been  
121 summarized and shared so as to not influence the interpretation of it.  
122

123 Mr. Riblet stated that staff found nothing surprising in the results, questions or tables. He stated that the narratives  
124 and responses will be good to build on to find creative ways to push information out to people who are not  
125 responding.  
126

127 **GUESTS & RESIDENTS**  
128

129 Mayor Dobrozsi asked for a motion to move the Guests and Residents portion of the agenda to the end of the agenda  
130 after Other Business.  
131

132 Vice Mayor Margolis made a motion to move the Guests and Resident portion to after Other Business on the agenda.  
133 Mr. Cappel seconded. City Council unanimously agreed.  
134

135 **LEGISLATION FOR CONSIDERATION THIS EVENING**  
136

137 There was no legislation for consideration at the meeting.  
138

139 **ESTABLISHING AN AGENDA FOR JUNE 2, 2021 BUSINESS SESSION**  
140

141 **TABLED LEGISLATION**  
142

143 **An Ordinance Agreeing to Adjust the Boundaries Between the City of Montgomery, Ohio And the City of**  
144 **The Village of Indian Hill, Ohio Pursuant to Ohio Revised Code Section 709.37**  
145

146 Mayor Dobrozsi explained that this Ordinance has been tabled since the April 21 Work Session and asked Mr.  
147 Donnellon for an update.  
148

149 Mr. Donnellon stated that there has been no progress at this time and recommended leaving on the table until there  
150 has been action taken or we recommend removing from the table or agenda.  
151

152 **PENDING LEGISLATION**  
153

154 There is no pending legislation on this agenda.  
155

156 **NEW LEGISLATION**  
157

158 **A Resolution Authorizing The City Manager To Contract With Frost Brown Todd, LLC To Provide Special**  
159 **Counsel Services**  
160

161 Mayor Dobrozsi assigned the legislation to Mr. Messer.

163 Mr. Riblet explained that this Resolution, if approved, would authorize a contract with Frost Brown Todd, LLC to  
164 provide special legal services for labor negotiations/labor relations/human resource functions. He stated that the  
165 work of Frost Brown Todd, LLC has been invaluable in labor negotiations/relations efforts, and it is important that  
166 the City maintain this relationship as the City continues its labor and employee relations into the future. Mr. Riblet  
167 added that there is a 2.5% to 3% increase in rates which is in line with other firms.  
168

169 Mr. Messer asked if there was an estimate of total costs.  
170

171 Mr. Riblet replied that the annual cost can vary based on contract negotiations and personnel issues, but it normally  
172 ranges between \$50 to \$75 thousand.  
173

174 **A Resolution authorizing the City Manager to enter into contract with Strawser Construction, Inc. to**  
175 **complete the City of Montgomery 2021 Crack Seal Program through the Ohio Department of Transportation**  
176 **(ODOT) Cooperative Purchasing Program**  
177

178 Mayor Dobrozsi assigned the legislation to Mr. Cappel.  
179

180 Mr. Heitkamp explained that, if approved, this Resolution would authorize the City Manager to enter into a contract  
181 with Strawser Construction for the 2021 Crack Seal program. The program includes work to crack seal 5.43  
182 centerline miles on the streets indicated on the attached memorandum. Funding for this project is programmed in  
183 the 2021 Capital Improvement Program 410-261-5470 account. It is requested that the 2021 Crack Seal Program  
184 be approved for funding in the amount of \$60,350.  
185

186 Vice Mayor Margolis stated that this program is not in lieu of repaving but augments it.  
187

188 Mr. Heitkamp stated that crack sealing is a preventative measure. He stated that he looks for streets that have been  
189 paved from five to seven years prior as it extends the life of the pavement.  
190

191 Mr. Suer stated that the crack sealing extends the life of the streets to stay on our 18-year cycle without that he felt  
192 we would face more frequent repaving. He stated this was a very worthwhile application.  
193

194 Mr. Messer asked how the streets were selected. If it was years since it has been paved or need-based.  
195

196 Mr. Heitkamp replied that it was both. He explained that he creates an inspection list to physically go and check  
197 streets each year based on application history.  
198

199 Mr. Cappel asked if there would be temporary closures with this program.  
200

201 Mr. Heitkamp said when there are it is one lane and only for about 15 minutes.  
202

203 Mr. Cappel stated that he felt it was a good stewardship program and a core government function.  
204

205 Mayor Dobrozsi stated that while it sounds like a lot of money, only doing the top course frequently saves money  
206 in the long run.  
207

208 **A Resolution Authorizing The City Manager To Enter Into A Contract With Physio Control-Stryker Medical**  
209 **For The Purchase Of Three LIFEPAK 15 Cardiac Monitor/Defibrillators**  
210

211 Mayor Dobrozsi assigned the legislation to Mrs. Bismeyer.  
212

213 Chief Wright explained that the current cardiac monitors/defibrillators are ten years old and would no longer be  
214 supported by maintenance which makes the medic unit they are in inoperable. He explained that, if approved, this

Resolution will allow the City Manager to enter into a contract to purchase three LIFEPAK 15 V4 Cardiac Monitor Defibrillators from Physio Control-Stryker Medical. Chief Wright explained the purchase of the defibrillators is programmed in the 2021 Capital Improvement Program 223-000-5405 account. It is requested that \$57,849.75 in funding be approved for the purchase of the defibrillators. This amount includes 5% contingency for shipping or any unforeseen expenses. Chief Wright explained that these monitors are an important part of cardiac care for patients. He stated that these new units will transmit to the Cath Lab all information on the patient and allow the patient to bypass the emergency room and go straight to the Cath Lab. Chief Wright added that three years ago these same monitors would have been \$73,000 but through the State Bid they are \$58,000.

Vice Mayor Margolis asked how these were dual function.

Chief Wright explained that they can perform an EKG but also can shock the heart as a defibrillator.

Mr. Suer asked how long these would last.

Chief Wright replied for 10 years.

Mr. Cappel asked how many times they get used.

Chief Wright replied daily. He explained with their diagnostic function they are used for many runs.

### **ADMINISTRATION REPORT**

Mr. Riblet reported the following items:

- Mr. Riblet requested a CIC meeting to be held prior to the June 2 Business Session at 6:45 p.m. He stated that a motion could be made to commence with the Business Session at the completion of the CIC meeting.

Mr. Cappel made a motion to commence with the June 2 Business Session at the completion of the CIC meeting. Vice Mayor Margolis seconded. City Council unanimously agreed.

- The next City Council Business Session is scheduled for Wednesday, June 2 immediately following a CIC meeting at 6:45 p.m.
- The Law and Safety, Financial Planning, and Planning, Zoning and Landmarks Committees have cancelled their meetings for June.
- John R. Jurgenson will be performing the switch to “Phase 4” traffic pattern on Saturday, May 22. “Phase 4” work is anticipated to last 4 weeks, thus should be concluded by end of June. When the project transitions to “Phase 5”, the traffic pattern will be that of the multi-lane roundabout.
- Beautification Day was held on Saturday, May 15 and the weather and volunteer participation could not have been better. A total of 82 volunteers participated, along with members of City Council and staff, planting flower beds on Montgomery Road from Schoolhouse Lane all the way up to Weller Road. This team effort goes a long way in beautifying the Montgomery Road corridor.
- The most important Public Works activity occurred this week and that is the hanging of 262 flower baskets on the City’s trademark streetlights.



- A contract was signed with Paylocity in the amount of \$15,819 for the purchase of various Human Resources, Time and Attendance, Payroll and Compliance reporting modules. This will significantly enhance the payroll process and provide a very mobile friendly platform for employees. The new system is scheduled to go live this coming July. Kudos to Katie Smiddy and Sharon Savitt for sifting through all of the various software companies to find this application.
- The Civil Service Commission met on Monday, May 17 and authorized a new Firefighter/Paramedic examination process in order to fill the six new positions authorized in the budget. The Commission also authorized a patrol officer examination process to fill a currently vacant position and a sergeant promotional process in anticipation of a retirement.
- As a reminder, as part of National Public Works Recognition week, we will be celebrating our public works staff with a breakfast from 7:30 to 9:00 a.m. on Friday, May 21 at the Public Works building. Council Members are invited to come.
- An update from Governor DeWine's office has been provided regarding the existing Covid health order. Mr. Riblet stated that the Governor is rescinding the existing order effective on June 2. He explained that since we will be resuming normal operations there would be legislation added at the June 2 Business Session agenda rescinding Resolution 12, 2020 that established the City's State of Emergency Order. He further explained that HB404 established November 22, 2020 authorized that public entities could meet virtually. He stated that this order would end on July 7.

Mr. Messer stated that he would be on vacation the week of June 7.

### **LAW DIRECTOR REPORT**

Mr. Donnellon explained that there have been questions regarding Columbus making public meetings permanently virtual and based on the conversations he has heard, there is not support for that. He stated that the legislature is getting pushback from the media on this.

Mayor Dobrozsi asked if there was any update to the issue of the Earnings Tax.

Mr. Donnellon stated that there is a divide in Columbus on this as many of the Representatives are from Township areas. He stated that many want the tax to go back to where people work and not where they live. He stated he was not sure where it would settle. He added that the legislature asked for the issue to be paused through December 31 for more research and discussion.

Mr. Riblet added to this that Matt Davis, the City's Lobbyist has been advocating on the other side and that the pause is good to work through the issue. Mr. Riblet stated that he felt the City will be ok with the outcome either way.

### **CITY COUNCIL REPORTS**

#### **Mr. Cappel**

Mr. Cappel reported that the monthly cardboard recycling was held on May 15.

**Mr. Messer**

315  
316 Mr. Messer stated that the City Council Pizza Staff Appreciation luncheon needs to be scheduled and asked City  
317 Council to select one of two dates, 7/30 or 8/27. City Council selected July 30 for the luncheon. Mr. Messer added  
318 that he and Vice Mayor Margolis will spearhead the organization of the event.  
319

320 Mr. Messer reported that the Government Affairs Committee met and discussed the following items:  
321

- 322 • The Committee approved the final revisions to the Memorial/Donation Recognition Policy.
- 323 • The Committee discussed the transition of the Diversity and Inclusion Committee to an actual Commission.  
324 He stated that the Committee made a motion to present to the full Council for discussion.  
325

326 Mr. Riblet explained that the D & I Committee only briefly discussed this at their last meeting as they were  
327 pressed for time. He explained that they would discuss this at a greater length at a future meeting and then  
328 ultimately present it as an Ordinance to the full Council by Fall. He stated there was no sense of urgency to  
329 rush anything at this point.  
330

- 331 • Gerri Harbison Memorial Project. Mr. Messer asked Mr. Riblet to elaborate.  
332

333 Mr. Riblet explained that since Mrs. Harbison's passing in January, a subcommittee that includes Greg  
334 Leader, Chair of the Art Commission and Marcallene Shockey, Chair of Sister Cities; both Commissions  
335 that Mrs. Harbison served as liaison for, have worked with staff to create ideas for a memorial project. He  
336 explained that originally there were around 20 items suggested as a form of a memorial but ultimately the  
337 standout idea was a bronze statute of Mrs. Harbison seated on a bench in Montgomery Park. Mr. Riblet  
338 stated that this was uncharted territory for staff and was a project with lots of interest from staff, volunteers  
339 and the public. He explained that he met with Tom Tsuchiya a local sculptor well known for his sculptures  
340 around Great American Ball Park. He explained that they met in Montgomery Park and that Mr. Tsuchiya  
341 had done research on Mrs. Harbison to give himself insight to how he may position and create her sculpture.  
342 Mr. Riblet explained that this would be a large undertaking from a financial perspective and would involve  
343 a campaign for private donations. He stated that before we would move forward, he would like feedback  
344 from City Council.  
345

346 Vice Mayor Margolis stated that he liked the idea of the sculpture but felt the challenge would be to raise  
347 the funds.  
348

349 Mr. Suer stated that it is good that the old policy was updated. He stated that he felt the renaming of streets  
350 or buildings can be dicey. He stated that even though it was well intended, to rename a street or a location,  
351 you have to look to the future and how that sets a precedence. He stated that he has seen Mr. Tsuchiya's  
352 work and he is very professional. Mr. Suer stated that the key element is the funding. He stated if the  
353 majority of the funds were private that was great but of course the City could not fund that.  
354

355 Mr. Riblet explained that based on the updated policy that the City could only contribute about \$2,200. He  
356 stated that the lion's share would come from Montgomery businesses and residents.  
357

358 Mr. Suer stated that we need to consider that we are setting a precedence for the future and not just for this  
359 particular instance. He added that we also need to be careful that residents know who is paying for the  
360 memorial.  
361

362 Mr. Cappel stated that he likes the philanthropy aspect of this. He asked if this would be considered public  
363 art and if would we consider using the public trust fund.  
364

365 Mr. Riblet stated that he felt that could be a slippery-slope and after conversations with the Arts  
366 Commission, the Montgomery Quarter will probably be the focus of Public Art funding.

368 Ms. Roesch stated that with the policy limits that we would definitely need to facilitate a campaign.

370 Mr. Cappel asked how much the estimated cost for the sculpture was.

372 Mr. Riblet stated that the estimate was between \$60,000 to \$75,000 for the sculpture and bench.

374 Mr. Cappel said he was supportive of the sculpture.

376 Mayor Dobrozsi stated that regarding the renaming of streets or building that they already have their own  
377 identity, and he does not want that to change. He stated that while he is worried about precedence when he  
378 considers all the Mrs. Harbison has done for the city, he can support the memorial.

380 Mr. Riblet stated that he had not spoken with Mr. Harbison yet and that if he were not in favor of the  
381 sculpture then a different idea would be researched. Mr. Riblet stated that if supported by Mr. Harbison,  
382 Mr. Tsuchiya had stated that he could have renderings of the memorial prepared in time for the July 4  
383 festival for an unveiling and kick-off of a fundraising campaign. Mr. Riblet stated that Mr. Tsuchiya  
384 estimated that it would take nine months to complete the process. He stated that an unveiling of the  
385 memorial could be planning for July 4, 2022 to allow time for any unexpected delays.

387 Mayor Dobrozsi asked for a motion of support of the memorial.

389 Vice Mayor Margolis moved to support the sculpture memorial of Mrs. Harbison and a fundraising  
390 campaign. Mr. Messer seconded. City Council unanimously agreed.

392 **Ms. Roesch**

394 Ms. Roesch stated that the BAMSO Board recently met to set concert dates in Blue Ash on August 15 and Labor  
395 Day. She stated that they were also looking for another date to hold a concert in Montgomery. Ms. Roesch stated  
396 that she would be meeting with staff to finalize the July 2 Concert music.

399 **Mr. Suer**

401 Mr. Suer explained that at the last Diversity & Inclusion Committee meeting the idea of converting the committee  
402 into a City commission was briefly discussed. He stated that as discussed at the meeting, changing the status of the  
403 group will also raise the status of the City for having it as a formal Commission. He stated that most were supportive  
404 with one member not supporting the change. He stated that it will be discussed more at a future meeting but some  
405 of the questions that came up were:

- 407 • Would current members of the Committee not attend if they are not appointed by Council to the  
408 Commission.
- 409 • Would transitioning to a commission make the function of the Commission too rigid.
- 410 • There is a concern about who would be appointed and who would not since a commission is limited to the  
411 number of members.

413 Mr. Suer added that these are the issues that would need to be worked out before legislation is brought before City  
414 Council. Mr. Suer asked Mr. Riblet if this topic would be brought back before Government Affairs.

416 Mr. Riblet stated that he thought he would keep working with the D & I Committee to address their concerns. He  
417 stated that he would want the number of members to match other boards and commissions, but there could be  
418 advisory positions. He stated that he is not looking to change the format or function of the Committee. He stated  
419 that an update would be provided at a future Government Affairs Committee meeting.



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**Vice Mayor Margolis**

Vice Mayor Margolis reported that the Hamilton County Municipal League would be hosting a reception on September 28 to meet local Senators and State Representatives.

Vice Mayor Margolis reported that he had attended the quarterly Hamilton County Emergency Management Association meeting where they discussed upgrading warning sirens, their 5-year plan and how they will continue to support the Hamilton County Public Health District.

Vice Mayor Margolis explained that interviews had been conducted by the Planning, Zoning and Landmarks Committee to fill two vacancies on the Landmarks Commission.

Vice Mayor Margolis moved to appoint Bob Bammann to the Landmarks Commission with a term ending January 31, 2022.

Vice Mayor Margolis moved to appoint Kevin Smith to the Landmarks Commission with a term ending January 31, 2024.

Vice Mayor Margolis explained that this was a Committee recommendation so a second would not be required, just a voice vote of approval. City Council unanimously approved.

**MINUTES**

Mr. Cappel made moved to approve the May 5, Business Session minutes as written. Vice Mayor Margolis seconded. City Council unanimously agreed.

**OTHER BUSINESS**

Mayor Dobrozsi asked Chief Crowell to explain the following Liquor Permit requests.

Chief Crowell explained that a notice from the State of Ohio Liquor Board had been received for the following applicants. He explained that City Council has an option to request a hearing prior to the Board approving a license. He stated that the first request was to allow a for a new C1-C2 liquor permit to be issued to Lee's Blessing LLC dba Little Asiana located at 9731 Montgomery Road. Chief Crowell explained that this was a small Asian grocery store that were looking to sell beer and wine as carryout items at their store. He stated he had no objections and would advise Council to not request a hearing on this application.

Chief Crowell explained that next request from Z Wine and Cheese at 7823 Cooper Road was due to a change in stock membership for their company which effects their existing liquor license. He stated when this happens that the licensee is required to file a new application. Chief Crowell stated that he would also advise Council to not request a hearing on this application.

Vice Mayor Margolis moved to not request a hearing for the application from Lee's Blessing LLC dba Little Asiana located at 9731 Montgomery Road. Mr. Cappel seconded. City Council unanimously agreed.

Vice Mayor Margolis moved to not request a hearing for the application from Z Wine and Cheese at 7823 Cooper Road. Mr. Cappel seconded. City Council unanimously agreed.

**GUESTS AND RESIDENTS**

Mayor Dobrozsi asked visitors at City Hall if they would like to speak. They declined.

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Mayor Dobrozsi asked if there were guests and/or residents on the phone line who would like to speak. He asked for them to state their name and address and to adhere to the three-minute speaking rule. There was no response. There being no response he closed the floor to public comment.

**ADJOURNMENT**

Mayor Dobrozsi asked if there was any further business to discuss in Public Session. There being none he asked for a motion to adjourn.

Mr. Cappel moved to adjourn. Vice Mayor Margolis seconded. City Council unanimously agreed.

City Council adjourned at 8:54 p.m.



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Connie Gaylor, Clerk of Council